

GREGORY G. KATSAS
Assistant Attorney General

JOHN TYLER
Assistant Director, Federal Programs Branch

MARCIA BERMAN (PA Bar No. 66168)
Trial Attorney, U.S. Department of Justice
Civil Division, Federal Programs Branch
20 Massachusetts Ave., N.W., Room 7132
Washington, D.C. 20530
Telephone: (202) 514-2205
Facsimile: (202) 616-8470
Email: marcia.berman@usdoj.gov
Attorneys for Defendants

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO

_____) No. 08-2997 JSW
ELECTRONIC FRONTIER FOUNDATION,)
Plaintiff,) STIPULATION TO EXCEED
) PAGE LIMITATION FOR
v.) MOTIONS FOR SUMMARY
) JUDGMENT
OFFICE OF THE DIRECTOR OF NATIONAL) AND ORDER THEREON
INTELLIGENCE and UNITED STATES)
DEPARTMENT OF JUSTICE)
Defendants,)
_____)

THE PARTIES HEREBY STIPULATE, pursuant to Local Rules 7-4(b) and 7-12, that the page limitation for defendants' consolidated motion for summary judgment, due on December 8, 2008, shall be extended to up to 50 pages, and that plaintiff's opposition brief and cross-motion for summary judgment may also be up to 50 pages, should plaintiff find that it needs additional pages to respond to defendants' consolidated motion for summary judgment and

Stipulation to Exceed Page Limitation for Motions for Summary Judgment , C 08-2997 (JSW)

1 cross-move for summary judgment. In support of this stipulation, the parties state the following:

- 2 1. Defendants' motion for summary judgment is due on December 8, 2008. The
3 motion will be a consolidated motion for summary judgment for two Freedom of
4 Information Act ("FOIA") cases, C 08-1023 (JSW) and C 08-2997 (JSW). (See
5 Civil Action No. 08-1023, dkt. # 59). These two cases involve multiple FOIA
6 requests to multiple federal agency components and large volumes of responsive
7 and exempt documents. The brief discusses numerous exemptions claimed to
8 protect various documents from disclosure under the FOIA, and multiple
9 declarations will be submitted in support of the brief. The brief also necessarily
10 includes a detailed factual discussion of the FOIA requests and the components'
11 responses.
- 12 2. The parties have agreed to extend the page limitations for their opening briefs in
13 support of their motions for summary judgment, to up to 50 pages. Plaintiff
14 recognizes that it may not need additional pages and cannot make that
15 determination until it receives defendants' consolidated motion for summary
16 judgment. Nevertheless, plaintiff has no objection to the Court granting the
17 government additional pages provided that plaintiff receives the same number of
18 pages.
- 19 3. Because of the complexity of the case, both factually and legally, the parties
20 respectfully request this extension of the 25-page limitation set forth in Local
21 Rule 7-4(b).

22
23 Dated: December 5, 2008

Respectfully submitted,

24 GREGORY G. KATSAS
Assistant Attorney General

25 JOHN TYLER
26 Assistant Director, Federal Programs Branch

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/s/ Marcia Berman

MARCIA BERMAN (PA Bar No. 66168)
Trial Attorney, U.S. Department of Justice
Civil Division, Federal Programs Branch
20 Massachusetts Ave., N.W., Room 7132
Washington, D.C. 20530
Telephone: (202) 514-2205
Facsimile: (202) 616-8470
E-mail: marcia.berman@usdoj.gov

Attorneys for Defendants

David L. Sobel (*pro hac vice*)
ELECTRONIC FRONTIER FOUNDATION
1875 Connecticut Ave. NW
Suite 650
Washington, DC 20009
Telephone: (202) 797-9009 x104
Facsimile: (202) 707-9066

/s/

Kurt Opsahl, Esq.
Marcia Hofmann, Esq.
ELECTRONIC FRONTIER FOUNDATION
454 Shotwell Street
San Francisco, CA 94110
Telephone: (415) 436-9333
Facsimile: (415) 436-9993

Attorneys for Plaintiff

The stipulation is DENIED. The parties may have 35 pages for the opening and opposition briefs and 20 pages for their replies.

Dated: December 5, 2008



JEFFREY S. WHITE
UNITED STATES DISTRICT COURT